

journed until 10 o'clock tomorrow morning.

#### APPENDIX.

##### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, January 22, 1930.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. C. R. No. 2 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

##### Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, January 22, 1930.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills have had S. B. No. 2 carefully examined and compared and find the same correctly enrolled, and have this day at 11:10 o'clock a. m. presented the same to the Governor for his approval.

WITT, Chairman.

#### FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Thursday, January 23, 1930.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Berkeley.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

#### Absent—Excused.

Cousins.	Pollard.
Greer.	Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Petitions and Memorials.

(See Appendix.)

#### Committee Reports.

(See Appendix.)

#### Bills and Resolutions.

By Senator McFarlane:

S. B. No. 7, A bill to be entitled "An Act creating a commission to reorganize and centralize the penitentiary system of the State of Texas; providing for the sale of certain prison property and the location of said centralized plant; providing the necessary powers and authorities and duties of said commission to construct said new system; providing for the manufacturing and supplying the Board of Control merchandise and supplies for the State's use by the prison system; authorizing and directing the Board of Control and the Highway Commission to purchase from the Prison Board certain materials, supplies and labor needed for the State's use; granting the necessary authorities power, privileges to carry into effect requirements of said reorganization of the prison system; and making an appropriation to carry out the provisions of the Act, and declaring an emergency."

Read first time and referred to Committee on Penitentiaries.

By Senator Small:

S. B. No. 8, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 7395, and not more than 7410, according to the 1920 United States census, and having taxable values as shown by the approved 1929 tax roll amounting to as much as \$8,145,000.00, and not more than \$8,150,000.00; prescribing how such compensation shall be paid; and providing that the Act shall apply only to counties expending funds derived

from the sale of bonds issued for the purpose of building hard surfaced roads, or in aid thereof; and that such salary shall only apply so long as such roads are in construction, and so long as such bond fund is being expended, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

#### **Tour Committee Reports.**

Senator Woodul, on behalf of the committee to arrange for the Legislature to visit the prison system, made final announcement concerning the trip.

#### **Messages From the House.**

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,  
Austin, Texas, January 23, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 6, petitioning the Governor to submit certain legislation.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, January 23, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 7, providing for the adjournment of the House and Senate until 10 o'clock a. m., January 27, 1930.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, January 23, 1930.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

S. C. R. No. 3, relative to adjournment in order to make an inspection trip to the penitentiary system.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk House of Representatives.

#### **Senate Concurrent Resolution No. 3.**

Senator Patton sent up the following resolution:

Whereas, the Senate of the State of Texas has authorized a trip of inspection of the penitentiary properties of the State by the Legislature of the State of Texas, and

Whereas, the Senate and the House of Representatives will be on said trip of inspection of penitentiary properties during a large part of the time between the present date and January 27th, and,

Whereas, there is no business that the Senate can transact during this period,

Be It Resolved by the Senate, the House concurring that when the Senate adjourns today it will stand adjourned until Monday, January 27th, at 10:00 a. m.

PATTON.

Read and adopted.

#### **House Concurrent Resolution No. 6.**

The Chair laid before the Senate: H. C. R. No. 6, requesting the Governor to submit Confederate pension legislation.

Read and adopted.

#### **Adjournment.**

On motion of Senator Small, the Senate, at 10:11 o'clock a. m., adjourned until 10 o'clock Monday morning.

### **APPENDIX.**

#### **Committee Reports.**

(Majority Report.)

Committee Room,

Austin, Texas, January 23, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee to whom was referred

S. B. No. 1, A bill to be entitled "An Act providing for the reorganization of the penitentiary of the State of Texas; for the purchase of lands therefor; for construction of a central prison plant; providing for the disposition of the present penitentiary properties at Huntsville, Texas, and of certain of the farms now owned by the prison system;

creating a special commission to select a proper site for said new prison plant, and to contract for and supervise the construction thereof, and defining the powers of said commission; providing for the manufacturing and supplying to the Board of Control merchandise and supplies for State use by the prison system; authorizing and directing the State Board of Control and the State Highway Commission to purchase from the State Prison Board certain materials, supplies and labor needed for State use; making an appropriation to be used in carrying out the provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

McFARLANE, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, January 23, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on State Penitentiaries, to whom was referred

S. B. No. 1, A bill to be entitled "An Act providing for the reorganization of the penitentiary of the State of Texas; for the purchase of lands therefor; for construction of a central prison plant; providing for the disposition of the present penitentiary properties at Huntsville, Texas, and of certain of the farms now owned by the prison system; creating a special commission to select a proper site for said new prison plant, and to contract for and supervise the construction thereof, and defining the powers of said commission; providing for the manufacturing and supplying to the Board of Control merchandise and supplies for State use by the prison system; authorizing and directing the State Board of Control and the State Highway Commission to purchase from the State Prison Board certain materials, supplies and labor needed for State use; making an appropriation to be used in carrying out the provisions of this Act, and declaring an emergency."

Have had the same under consideration and beg leave to differ with

the majority report, and beg leave to report said bill back to the Senate with the recommendation that it do not pass.

WIRTZ,  
MARTIN,  
RUSSEK.

(Majority Report.)

Committee Room,

Austin, Texas, January 23, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee to whom was referred

S. B. No. 5, A bill to be entitled "An Act relating to the prison system of Texas and providing for the rehabilitation, renovation and concentration of the Central Prison System of the State of Texas on the present site of the Central Prison and walls in the city of Huntsville, in Walker County, Texas, and adjoining lands now owned by the State; and declaring an emergency."

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass.

McFARLANE, Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, January 23, 1930.

Hon. Barry Miller, President of the Senate.

Sir: We a minority of your Committee to whom was referred

S. B. No. 5, A bill to be entitled "An Act relating to the prison system of Texas and providing for the rehabilitation, renovation and concentration of the Central Prison System of the State of Texas on the present site of the Central Prison and walls in the City of Huntsville, in Walker County, Texas, and adjoining lands now owned by the State; and declaring an emergency."

Have had the same under consideration and beg leave to differ with the majority report, and beg leave to report said bill back to the Senate with the recommendation that it do not pass.

WIRTZ,  
MARTIN,  
RUSSEK.

Committee Room,  
Austin, Texas, January 23, 1930.  
Hon. Barry Miller, President of the  
Senate.

Sir: We, your Committee on State  
Affairs to whom was referred

S. B. No. 4, A bill to be entitled  
"An Act providing that in all coun-  
ties where the county attorney per-  
forms the duties of the county attor-  
ney and district attorney, the county  
attorney may appoint one or more as-  
sistants who need not possess the  
qualifications provided for county  
attorneys; providing for the manner  
of appointment and payment of said  
assistants, and providing that said  
assistants may be appointed accord-  
ing to population and declaring an  
emergency."

Have had the same under consid-  
eration, and I am instructed to re-  
port same back to the Senate with  
the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,  
Austin, Texas, January 23, 1930.  
Hon. Barry Miller, President of the  
Senate.

Sir: We, your Committee on State  
Affairs, to whom was referred

S. B. No. 6, A bill to be entitled  
"An Act to exempt estates of minors  
of fifteen thousand dollars or less in  
valuation, administered in guardian-  
ship under Title 69, Revised Civil  
Statutes of Texas, 1925, from all  
fees, charges, costs and commissions  
allowed by law, except commissions  
allowed to guardians, and to amend  
Article 4317, Revised Civil Statutes  
of Texas, 1925, regulating costs and  
securities for guardianship proceed-  
ings, and to repeal all laws in con-  
flict herewith, and declaring an emer-  
gency."

Have had the same under consid-  
eration, and I am instructed to re-  
port same back to the Senate with  
the recommendation that it do pass.

WIRTZ, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, January 23, 1930.  
Hon. Barry Miller, President of the  
Senate.

Sir: We, a majority of your Com-  
mittee on State Penitentiaries to  
whom was referred

S. B. No. 7, A bill to be entitled

"An Act creating a commission to  
reorganize and centralize the peni-  
tentiary system of the State of Texas;  
providing for the sale of certain  
prison property and the location of  
said centralized plant; providing the  
necessary powers and authorities and  
duties of said commission to con-  
struct said new system; providing  
for the manufacturing and supplying  
the Board of Control merchandise  
and supplies for the State's use by  
the prison system; authorizing and  
directing the Board of Control and  
the Highway Commission to purchase  
from the Prison Board certain ma-  
terials, supplies and labor needed for  
the State's use; granting the neces-  
sary authorities power, privileges to  
carry into effect requirements of said  
reorganization of the prison system;  
and making an appropriation to car-  
ry out the provisions of the Act, and  
declaring an emergency."

Have had the same under consid-  
eration, and I am instructed to re-  
port same back to the Senate with  
the recommendation that it do pass.

McFARLANE, Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, January 23, 1930.  
Hon. Barry Miller, President of the  
Senate.

Sir: We a minority of your Com-  
mittee on State Penitentiary, to  
whom was referred

S. B. No. 7, A bill to be entitled  
"An Act creating a commission to  
reorganize and centralize the peni-  
tentiary system of the State of Texas;  
providing for the sale of certain  
prison property and the location of  
said centralized plant; providing the  
necessary powers and authorities and  
duties of said commission to con-  
struct said new system; providing  
for the manufacturing and supplying  
the Board of Control merchandise  
and supplies for the State's use by  
the prison system; authorizing and  
directing the Board of Control and  
the Highway Commission to purchase  
from the Prison Board certain ma-  
terials, supplies and labor needed for  
the State's use; granting the neces-  
sary authorities power, privileges to  
carry into effect requirements of said  
reorganization of the prison system;  
and making an appropriation to car-

ry out the provisions of the Act, and declaring an emergency."

Have had the same under consideration and beg leave to differ with the majority report and beg leave to report said bill back to the Senate with the recommendation that it do not pass.

MARTIN,  
WIRTZ,  
RUSSEK.

#### FIFTH DAY.

Senate Chamber,  
Austin, Texas,

Monday, January 27, 1930.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	McFarlane.
Berkeley.	Miller.
Cousins.	Neal.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Hardin.	Russek.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Witt.
Love.	Woodul.
Martin.	Woodward.

Absent—Excused.

Greer.	Stevenson.
Moore.	Williamson.
Parr.	Wirtz.
Small.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Cunningham:

S. B. No. 9, A bill to be entitled "An Act fixing the compensation of county commissioners in every coun-

ty having a population of not less than 11,000, nor more than 11,015, according to the 1920 census, and

having a property valuation of not less than \$8,252,800, and not more than \$8,252,900, as shown by the approved tax rolls for the year of 1929, and prescribing how same shall be paid; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senators Parrish and Woodul:

S. B. No. 10, A bill to be entitled "An Act to amend Articles 2994, 3883, 3886, 3889, 3891, 3892, 3895, 3897, 3899, 3926, 3934, 7331, 7332 of the Revised Civil Statutes of Texas for 1925, repealing Articles 3887, 3900, 3912, 3932 of the Revised Civil Statutes of Texas for 1925, and all laws in conflict, all of said amended and repealed articles relating to fees and compensation of county officers, providing any unconstitutional parts of this Act shall not affect the remainder, declaring an emergency, and providing said Act shall become effective on January 1, 1931."

Read first time and referred to Committee on State Affairs.

By Senator Westbrook:

S. B. No. 11, A bill to be entitled "An Act amending Article 1052, Title 15, Chapter 3 of the Code of Criminal Procedure of Texas of 1925 as amended by Chapter 55, General and Special Laws, First Called Session, Forty-first Legislature, so as to increase the amount of the fee of each justice of the peace for each criminal action tried and finally disposed of before him; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Westbrook:

S. B. No. 12, A bill to be entitled "An Act amending Article 3936 of the Revised Civil Statutes of 1925 so as to fix certain fees of constables; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Westbrook:

S. B. No. 13, A bill to be entitled "An Act fixing the salary of the county commissioners of certain counties according to the latest approved tax rolls of the county; and declaring an emergency."